

Mail Stop: PETITION
PATENT
6501-1049

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Bryan Barker SPEIGHT

Conf. 2390

Application No. 10/535,149

Group 3771

Filed January 6, 2006

Examiner C. Ostrup

DEVICE FOR ENHANCING WELL-BEING

PETITION TO REVIVE UNDER 37 CFR \$1.137(b)

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 13, 2010

Sir:

Withdrawal of the holding of abandonment in the above-identified application pursuant to 37 CFR \$1.137(b) is respectfully requested.

Petitioner hereby states that the entire delay in filing the required reply from the due date for the reply of the Official Action mailed June 12, 2009 to the date of filing of a grantable petition pursuant to 37 CFR \$1.137(b) was unintentional.

It is respectfully requested that the above-identified application be revived for the purpose of gaining co-pendency with a continuation-in-part application, which is being filed this same day. A copy of the transmittal form for the continuation-in-part application accompanies this petition.

The above-identified application is to be abandoned only after a filing date has been granted to the continuation-in-part application filed on this same day.

The required requisite 37 CFR 1.17(m) petition fee for a small entity in the amount of \$810 are being paid online simultaneously herewith by credit card. The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to the Deposit Account No. 25-0120.

In view of the above, it is respectfully requested that the above identified application, which unintentionally abandoned, be revived under the provisions of 37 CFR 1.137(b), and the accompanying continuation-in-part application be entered.

Respectfully submitted,

YOUNG & THOMPSON

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